

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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|--------------------------|---|-----------------------------------|
| UNITED STATES OF AMERICA |) | NO. 1:14 CR-119 |
| |) | |
| V. |) | Chief Judge Christopher C. Conner |
| |) | |
| ROBERT J. RICE, |) | |
| Defendant |) | |

**MOTION OF THE DEFENDANT, ROBERT J. RICE, TO MODIFY PRE-TRIAL
RELEASE CONDITION**

AND NOW, comes the Defendant, Robert J. Rice, by and through his attorney, Joseph D. Caraciolo, Esquire, and respectfully files this Motion to Modify his Pre-Trial Release Condition and in support thereof, states as follows:

1. The Defendant was charged in a two-count indictment on May 14, 2014.
2. This matter has been scheduled for a trial beginning on December 7, 2015.
3. An Order Setting Conditions of Release, signed by Judge Susan E. Schwab, U.S. Magistrate Judge, Condition 7f restricts the Defendant' s travel to: "[Middle District] of Pa and Shanksville, PA."
4. A Military Court-Martial is proceeding at the same time as the above-captioned criminal matter.
5. On September 30, 2015, the Defendant was informed by his military Defense Attorney that the Defendant must appear at Arraignment scheduled for October 6, 2015 in the Military District of Washington, at Fort McNair, building 32, Washington, DC.
6. On September 30, 2015, Counsel for Defendant notified Probation Officer, Julie Persinger of the upcoming arraignment.

7. Julie Persinger has indicated that she is not opposed to a modification of the Defendant's pre-trial condition to include travel outside the Middle District of Pennsylvania as needed for the Military Court-Marital proceeding.

8. The United States Attorney's office, by Attorney James Clancy, Esquire, does concur in the requested modification of pre-trial release conditions.

WHEREFORE, Defendant respectfully requests that this Honorable Court grant Defendant's Motion to Modify Pre-Trial Release Conditions to allow travel outside of the Middle District of Pennsylvania as needed for the Military Court-Martial Proceeding.

Respectfully Submitted,

/s/ Joseph D. Caraciolo
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